

Appl. No. 10/774,259  
Atty. Docket No. 8637C  
Amdt. dated January 26, 2006  
Reply to Office Action of November 30, 2005  
Customer No. 27752

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

Claim 1. (Original) An article having a surface fastening system and a primary direction of load bearing, the surface fastening system including:

at least one first fastening element, the first fastening element including:

an attached portion joined to the article, said attached portion being fully or intermittently attached to the article;

at least one liftable portion extending from the attached portion, said liftable portion being adapted to be lifted away from the article; and

at least one hinge line positioned between the attached portion and the liftable portion, wherein the hinge line is disposed at an angle less than 90 degrees relative to the primary direction of load bearing; and

at least one second fastening element affixed at a second position to the article and at least a portion of the second fastening element is configured to be releasably engageable with at least a portion of the liftable portion of the first fastening element,

wherein when said first and second fastening element are engaged and encountering a load substantially in a z-direction said liftable portion lifts away from said article, wherein the z-direction is defined by an axis which is generally perpendicular to an x-axis and a y-axis, wherein the x-axis is generally oriented along the primary direction of load bearing, wherein the y-axis is generally perpendicular to the x-axis and generally oriented within a plane of the article.

Claim 2. (Currently Amended) The article of Claim 1, wherein the second fastening element includes:

an attached portion joined to the article;

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at least one liftable portion extending from the attached portion;  
at least one hinge line positioned between the attached portion and the liftable portion, the at least one hinge line intersected by the primary direction of load bearing with at an angle less than 90 degrees; and  
the liftable portion of the first fastening element is configured to be releasably engageable with the liftable portion of the second fastening element.

Claim 3. (Original) The article of Claim 2, wherein the peel load capacity during use is greater than or equal to about 1000 grams.

Claim 4. (Original) The article of Claim 3, wherein the fastening system may be disengaged in a peel mode through intentional fastening system disengagement with a peel load of less than about 1000 grams.

Claim 5. (Currently Amended) An article having a longitudinal centerline a surface fastening system, the surface fastening system including:

at least one first fastening element, the first fastening element including:  
at least one retaining element;  
an attached portion joined to the article, said attached portion being fully or intermittently attached to the article;  
at least one liftable portion extending from the attached portion, wherein at least about 5% of the retaining element is located on the liftable portion, said liftable portion being adapted to be lifted away from the article;  
at least one hinge line positioned between the attached portion and the liftable portion, wherein said hinge line intersects said longitudinal centerline;  
at least one second fastening element with a retaining element, wherein said second fastening element is affixed at a second position to the article and wherein at least a portion of the retaining element of the second fastening element is configured to be releasably engageable with at least a portion of the retaining element of the first fastening element on the liftable portion of the first fastening element,

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wherein when said first and second fastening element are engaged and encountering a load substantially in a z-direction said liftable portion lifts away from said article, wherein the z-direction is defined by an axis which is generally perpendicular to an x-axis and a y-axis, wherein the x-axis is generally oriented along the primary direction of load bearing, wherein the y-axis is generally perpendicular to the x-axis and generally oriented within a plane of the article.

Claim 6. (Original) The article of Claim 5, wherein the first fastening element is positioned to the front of the wearer.

Claim 7. (Cancelled)

Claim 8. (Original) The article of Claim 5, further including a primary direction of load bearing wherein the primary direction of load bearing is disposed at an angle less than 90 degrees relative to the at least one hinge line.

Claim 9. (Currently Amended) The article of claim 5, wherein the second fastening element further comprises:

- ~~—at least one retaining element;~~
- an attached portion joined to the article;
- at least one liftable portion extending from the attached portion; and
- at least one hinge line positioned between the attached portion and the liftable portion, the at least one hinge line intersecting the longitudinal centerline.

Claim 10. (Original) The article of Claim 9, wherein at least about 5% of the second fastening element retaining element is located upon the second fastening element liftable portion.

Claim 11. (Original) The article of Claim 5, wherein the peel load capacity during use is greater than or equal to about 1000 grams.

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Claim 12. (Original) The article of Claim 5, wherein the article includes a disposable diaper, sanitary napkin, body wrap, or medical bandage.

Claim 13. (Original) The article of Claim 5, wherein the article includes a liquid pervious topsheet, a liquid impervious backsheet and an absorbent core interposed between the topsheet and the backsheet.

Claim 14. (Original) An absorbent article having a liquid pervious topsheet, a liquid impervious backsheet joined to the topsheet, an absorbent core positioned between the topsheet and the backsheet; a first waist region, a crotch region, a second waist region, opposite side panels, a longitudinal centerline, a lateral centerline, a primary direction of load bearing, and a surface fastening system, the surface fastening system including:

at least one first fastening element, the first fastening element including:

at least one attached portion joined to the article, said attached portion being fully or intermittently attached to the article;

at least one liftable portion extending from the attached portion, said liftable portion being adapted to be lifted away from the article;

at least one retaining element wherein at least 5% of the retaining element is disposed on the liftable portion; and

at least one hinge line positioned between the attached portion and the liftable portion; and

at least two second fastening elements with retaining elements, the second fastening elements disposed on the opposite side panels so as to be generally attachable in a face to face relationship with at least a portion of the liftable portion of at least one first fastening element when the surface fastening system is in a fastened configuration; and

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the retaining elements of the at least two second fastening elements releasably engageable with at least a portion of the retaining element disposed on the liftable portion of the at least one first fastening element,

wherein when said first and second fastening element are engaged and encountering a load substantially in a z-direction said liftable portion lifts away from said article, wherein the z-direction is defined by an axis which is generally perpendicular to an x-axis and a y-axis, wherein the x-axis is generally oriented along the primary direction of load bearing, wherein the y-axis is generally perpendicular to the x-axis and generally oriented within a plane of the article.

Claim 15. (Original) The article of Claim 14, wherein the hinge line intersects the longitudinal centerline and the lateral centerline.

Claim 16. (Original) The article of Claim 14, wherein the hinge line intersects the primary direction of load bearing at an angle less than 90 degrees.

Claim 17. (Original) The article of Claim 14, wherein the first fastening element includes a flap with a retaining element.

Claim 18. (Original) The article of Claim 14, wherein the first fastening element includes a masking element.

Claim 19. (Currently Amended) The article of Claim 14, wherein the first ~~surface~~ fastening element includes a stiffening element.

Claim 20. (Original) The article of Claim 14, wherein the liftable portion includes an elastomeric portion.

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Claim 21. (Currently Amended) A pant-like article having a longitudinal centerline and a surface fastening system and a primary direction of load bearing, the surface fastening system including:

at least one first fastening element, the first fastening element including:

an attached portion joined to the article, said attached portion being fully or intermittently attached to the article;

at least one liftable portion extending from the attached portion, said liftable portion being adapted to be lifted away from the article;

a hinge line positioned between said attached portion and said liftable portion wherein said hinge line intersects said longitudinal centerline; and

at least one second fastening element affixed at a second position to the article and at least a portion of the second fastening element is configured to be releasably engageable with at least a portion of the liftable portion of the first fastening element,

wherein said first fastening element and said second fastening element are pre-fastened.

Claim 22. (New) An article having a surface fastening system, the surface fastening system including:

a) a first fastening element comprising:

a retaining element;

an attached portion joined to the article, said attached portion being fully or intermittently attached to the article;

a liftable portion extending from the attached portion, wherein at least about 5% of the retaining element is located on the liftable portion, said liftable portion being adapted to be lifted away from the article;

a hinge line positioned between the attached portion and the liftable portion;

and

b) a second fastening element comprising:

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a retaining element, wherein at least a portion of the retaining element of said second fastening element is configured to be releasably engageable with at least a portion of the liftable portion of said first fastening element;

an attached portion joined to the article;

a liftable portion extending from the attached portion of said second fastening element wherein at least about 5% of the retaining element of the second fastening element is located upon the second fastening element liftable portion; a hinge line positioned between the attached portion and the liftable portion of said second fastening element.